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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/575,511

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Remy Jacobus Wilhelmus Kamp

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

SEMENENKO, YURIY

ART UNIT

PAPER NUMBER

2841

MAIL DATE

DELIVERY MODE

12/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/575,511

Applicant(s)

KAMP, REMY JACOBUS
WILHELMUS

Examiner

Yuriy Semenenko

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 9 and 10 is/are rejected.
- 7) ☒ Claim(s) 6-8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 5 and 10 are rejected under 35 U.S.C. 102(a) as being anticipated by Nishimura et al. (PGPub. No: 2003/0048620) [hereinafter Nishimura].

As to claims 1 and 10: Nishimura discloses in Fig. 1 a printed circuit board 1 comprising a substrate 20, a plurality of electronic components, 210 and 11, and a pattern of metal tracks 12 on said substrate 20 for connecting said electronic components, said metal tracks 12 being covered with a protective non-conductive layer 30, Fig. 7, wherein said board further comprises a fuse, said fuse comprising a narrowed metal track (6') within the pattern, characterized in that said narrowed metal track (6') is uncovered such that it is exposed to air.

As to claim 5: Nishimura discloses the printed circuit board according to claim 1, wherein a slot 71, Fig. 11 is provided in the substrate alongside substantially the entire length of the narrowed metal track 6" at both sides thereof.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

2.1. Claims 2, 3 and 4 rejected under 35 U.S.C. 103(a) as being unpatentable over Nishimura as applied to claims 1, 5 and 11 above, and further in view of Lof (US 5543774).

As to claims 2, 3 and 4: Nishimura discloses the printed circuit board having all of the claimed features as discussed above with respect claim 1,

except Nishimura does not explicitly disclose an area of at least 0.5 mm, preferably at least 1 mm extending from said narrowed metal track is uncovered.; and a distance of at least 1.5 mm, preferably at least 2 mm of the ends of the wider metal tracks extending from both ends of the narrowed metal track are uncovered; and the width of said narrowed metal track is less than 0.3 mm, preferably less than 0.2 mm.

Lof teaches a distance of at least 2.5 mm of the ends of the wider metal tracks 3, Fig. 2 extending from both ends of the narrowed metal track (area 8 on Fig. 2); and the width of said narrowed metal track is less than 0.3 mm, preferably less than 0.2 mm (the width of said narrowed metal track 0.15 mm). Further, the courts have held that change in size of configuration, without any criticality, is within the level of skill in the art as particular size claimed by applicant is nothing more than one of numerous sizes that a

person of ordinary skill in the art would have found obvious to provide using routine experimentation based on its suitability for the intended use of the invention, See *In re Dailey*, 149 USPQ 47 (CCPA 1966).

Therefore it would have been obvious to one of ordinary skill in the art, at time the invention was made to make an area of at least 0.5 mm, preferably at least 1 mm extending from said narrowed metal track is uncovered.; and a distance of at least 1.5 mm, preferably at least 2 mm of the ends of the wider metal tracks extending from both ends of the narrowed metal track (3) are uncovered; and the width of said narrowed metal track is less than 0.3 mm, preferably less than 0.2 mm, as taught by Lof, or any other size of said narrowed metal track depending on the value of the current in the circuit and since the courts have held that change in shape or change in size configuration, without any criticality, is within the level of skill in the art as particular shape or size claimed by applicant is nothing more than one of numerous shape or size that a person of ordinary skill in the art would have found obvious to provide using routine experimentation based on its suitability for the intended use of the invention, See *In re Dailey*, 149 USPQ 47 (CCPA 1966).

2.2. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishimura as applied to claims 1, 5 and 11 above, and further in view of Muessli (US 6548948) hereinafter Muessli.

As to claim 9: Nishimura does not disclose the printed circuit board having all of the claimed features as discussed above with respect claim 1,

except Nishimura does not disclose an electronic ballast for a gas discharge lamp comprising a printed circuit board.

Muessli teaches an electronic ballast 40, Fig. 3 for a gas discharge lamp 30, Fig. 2 comprising a printed circuit board 41, Fig. 3.

Therefore it would have been obvious to one of ordinary skill in the art, at time the invention was made to use a printed circuit board as stated by Nishimura a gas

discharge lamp with an electronic ballast , as taught by Muessli in order to protect a gas discharge lamp from big current.

Allowable Subject Matter

3. Claims 6, 7 and 8 are objected to as being dependent upon a rejected base claims 1 and 5 but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.


Nishimura discusses the invention substantially as claimed, but at least two slots are located at a distance of from the narrowed metal track is not disclosed by the prior art of record.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuriy Semenenko whose telephone number is (571) 272-6106. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. F. Gutiérrez can be reached on (571)- 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YS


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